

Minutes of the State Board of Health January 14, 2004

The Washington State Board of Health (SBOH) met at the Department of Health Point Plaza East building located at 310 Israel Road in Tumwater, Washington. Chair Linda Lake called the public meeting to order at 9:45a.m. and addressed the attendees with the following statement:

“This is a public meeting of the State Board of Health held under provisions of RCW 43.20. Notice of the meeting was provided in accordance with provisions of RCW 34.05, the Administrative Procedures Act. Those members having any conflict of interest on any item coming before the Board will report that conflict with respect to the particular subject under consideration. In case of challenge of any Board members by the public, the Board shall decide the status of the challenged members to participate before considering the substance of the matter.

Copies of all materials supplied to the Board for today’s meeting have been available since close of business last Friday from the Board’s Olympia office and on the Board’s Web site at www.doh.wa.gov/sboh. They are also available today, along with anything else we have received since, at the table in the back of the room. To conserve public funds, we have only made as many copies as we feel will be needed, so we may run out of some particularly popular items. If you do not find a document you need, please ask Executive Assistant Desiree Robinson, or another Board staff person for one.

Our meeting today is open to the public, so please feel free to listen in on informal discussions involving Board members or staff, including any that may occur during breaks or lunch.”

SBOH members present:

Linda Lake, MBA, Chair
Thomas H. Locke, MD, MPH, Vice Chair
Carl Osaki, RS, MSPH
Charles Chu, DPM

Vickie Ybarra, RN, MPH
Secretary Mary Selecky
The Honorable Carolyn Edmonds

SBOH members absent:

Ed Gray, MD

The Honorable David Crump, PhD

State Board of Health Staff present:

Don Sloma, Executive Director
Craig McLaughlin, Sr. Health Policy Manager
Tara Wolff, Health Policy Advisor

Marianne Seifert, Health Policy Advisor
Desiree Robinson, Executive Assistant
Heather Boe, Assistant to the Board

Guests and Other Participants:

Tony Barrett, Lewis County Health Department
Nancy Bernard, Department of Health
Tim Blake, Department of Health
L. Darren Cochran, Thurston County Health Department
Joe Finkbonner, Northwest Portland Area Indian Health Board

Antonio Ginata, Commission on Hispanic Affairs
James Green, Citizen
Maryanne Guichard, Department of Health
Rich Hoey, Department of Health
Meredith Jones, EHS, Lewis County
Sue Kennedy, RS, Lewis County

Garrison Kurtz, Foundation for Early Learning
 Don Leaf, Office of Superintendent of Public Instruction
 Mich'l Needham, Governor's Office
 Wolfgang Opitz, Office of Financial Management
 Glen Patrick, Department of Health
 Everett Penfold, Evergreen Apartments
 LaVerne Penfold, Evergreen Apartments

Thelma Simon, Citizen
 Jennifer Tebaldi, Department of Health
 Gayle Thronson, Office of Superintendent of Public Instruction
 Bill Thurston, Department of Health
 Violette Young, Lynnwood Community Beach Assoc.
 Milton Young, Lynnwood Community Beach Assoc.

APPROVAL OF AGENDA

Motion: Approve the January 14, 2004 agenda

Motion/Second: Edmonds/Chu

Approved unanimously

ADOPTION OF DECEMBER 10, 2003 MEETING MINUTES

Motion: Approve the December 10, 2003 minutes as written

Motion/Second: Ybarra/Locke

Approved unanimously

RECOGNITION OF THE CONTRIBUTIONS OF JOE FINKBONNER AND DOREEN GARCIA

Chair Linda Lake said how delighted she was personally to get to know and work with Doreen Garcia, former Board staff member. Board Member Vickie Ybarra extended her appreciation and respect for Ms. Garcia's staff work on behalf of the Committee on Children's Health and Well Being. Board Member Mary Selecky mentioned that Ms. Garcia's contributions to public health, not just to the Board's work, are extensive and will likely continue. Executive Director Don Sloma spoke about the contribution Ms. Garcia made to rebuilding the Board's staff. The Board presented Ms. Garcia with a clock. Ms. Garcia thanked the Board and said leaving was difficult but she would continue to apply the lessons learned with the Board to other aspects of her life.

Chair Lake then described the very solid presence and level of thought that former Board Member Joe Finkbonner brought to the Board during his service. Board Member Tom Locke said he has known Mr. Finkbonner as a friend and colleague for many years. He mentioned that Joe had made two historic contributions—the meeting at the Lummi nation and the Board's response in the wake of the September 11, 2001 attacks. Board Member Carl Osaki said he is looking forward to working with Mr. Finkbonner at the University of Washington public health training center. He particularly thanked Mr. Finkbonner for helping shape the work on environmental justice. Secretary Selecky recalled meeting Mr. Finkbonner after being named acting secretary of health and said she was grateful to be able to work with Mr. Finkbonner and said she considered him to be a pathfinder. Ms. Ybarra complimented Mr. Finkbonner for his leadership as chair of the Committee on Health Disparities. WSBOH Policy Analyst Marianne Seifert said she greatly appreciated serving as staff to Mr. Finkbonner. Mr. Sloma added that he appreciated Mr. Finkbonner's active leadership on the Board. Chair Lake then read a resolution honoring Mr. Finkbonner (see resolution behind Tab 3).

Motion: Approve resolution 04-01 honoring Joe Finkbonner's contributions.

Motion: Selecky/Osaki

Approved unanimously

Mr. Finkbonner thanked the Board and said the respect and admiration is mutual. Secretary Selecky suggested the Board transmit a copy of the resolution to the Governor's Office and the Board agreed.

DEPARTMENT OF HEALTH UPDATE

Secretary Selecky reviewed the Governor's State of the State address and, in particular, the proposed package of initiative aimed at preventing erosion in access to health care in rural areas. She discussed the just-released comprehensive cancer control plan. She reminded Board members, staff and guests to practice respiratory etiquette, and discussed the investigation and charging of a man who administered flu shots without a license. She reviewed the department's role in responding to bovine spongiform encephalopathy. Chair Lake mentioned the difficulties that arise when public health agencies are not the lead agencies on issues with public health implications. Board Member Charles Chu asked about changes in beef production processes. Secretary Selecky then described the SARS response plan.

Chair Lake switched the next two agenda items, the discussion of Governor Locke's budget and the Board announcements, as a courtesy to Office of Financial Management staff.

SUMMARY OF HEALTH PORTIONS OF GOVERNOR LOCKE'S 2004

SUPPLEMENTAL BUDGET PROPOSAL

Wolfgang Opitz, Deputy Director of the Office of Financial Management, and Health Budget Analyst Elise Grief discussed the supplemental budget proposal and the ways it relates to the purchase and provision of health care (see materials behind Tab 9 and handout). Board members asked a variety of questions about issues such as tort reform. Secretary Selecky said how much she appreciated the work of Mr. Opitz and Ms. Grief and their commitment to health issues.

UPDATE ON FOOD SERVICE RULE REVISION PROCESS—CHAPTER 246-215 WAC

Carl Osaki, WSBOH Member introduced the discussion of food service and food safety (see materials behind Tab 7). Ms. Seifert added that Ned Therien, DOH Food Safety Program staff, has done an exceptional job handling the rule revision meetings and workshops. Jennifer Tebaldi, director of the DOH Food Safety and Shellfish Program, provided an update on the timing of the process and key issues such as whether to regulate potlucks, how long food may be left out, requirements for bed and breakfasts, and a lowering of the required temperature for refrigeration. A final update is scheduled for the July 14 Board meeting, and a public hearing on the proposed draft rule is scheduled for the September 8 Board meeting.

PARTNERSHIP POSSIBILITIES—FOUNDATION FOR EARLY LEARNING

Mr. Sloma provided some background on early learning and the connection with providing health screenings (see memo behind Tab 8). Garrison Kurtz, Director of Programs, Foundation for Early Learning, discussed the foundation's work and opportunities for partnership (see meeting handout for more information). Ms. Ybarra asked about partnerships around health disparities and issues such as cultural competency in early learning. Mr. Kurtz said services would be developed first for families at risk. He recommended that the Board look at the Getting School Ready Web site. Mr. Osaki suggested the foundation might want to review materials from the Children's Environmental Health Network. He also described efforts to train public

health nurses in environmental health issues in the home. Dr. Locke said he was encouraged by the alignment between foundation and Board priorities.

SBOH ANNOUNCEMENTS & OTHER BOARD BUSINESS

Mr. Sloma directed the Board to the FYI section of the agenda and highlighted several correspondence items. He mentioned a legal action involving the Board (see legal documents behind Tab 5). He also discussed the fitness challenge issued to the Board by the Iowa State Board of Health (see e-mail behind Tab 5). Mr. Sloma then announced he would be retiring effective February 27 (see resignation letter). Chair Lake said it would be sad to see him leave and spoke briefly about the need for a smooth and timely transition.

The Board adjourned for lunch at 12:20 p.m. and resumed at 1:45 p.m.

PUBLIC HEARING FOR CHAPTER 246-290 WAC: GROUP A PUBLIC WATER SYSTEMS – ARSENIC STANDARDS AND LONG TERM 1 ENHANCED SURFACE WATER TREATMENT

Mr. Osaki, SBOH Environmental Health Committee Chair, introduced the agenda item, calling attention to chapter 246-290 WAC and noting that there were two revision areas affecting Group A public water systems before the Board—arsenic levels and surface water treatment. Ms. Seifert described the different types of Group A public water systems and noted that the proposed rule removed the arsenic standard for transient non-community systems (see materials behind Tab 9). Rich Hoey, acting director of the DOH Office of Drinking Water, reviewed the proposed changes to chapter 246-290 WAC in greater detail (see his slide presentation). Ms. Edmonds asked if higher arsenic levels are concentrated in pockets of the state. Mr. Hoey replied there were some pockets, especially in the northwest regions of the state. Secretary Selecky asked for estimates of populations served by each system. Mr. Hoey said the numbers are 180,000-200,000 people on Group B systems and 5.2-5.3 million on Group A systems. Dr. Locke asked about cost impacts prompted by changes in surface water treatment.

During the public testimony period, LaVerne Penfold asked if casual laborers using transient non-community water systems would be provided with the same information as anyone else using the system. Mr. Hoey assured her that DOH would provide materials so operators could notify people regarding arsenic levels. Dr. Locke mentioned that the Board is likely to revisit the revised arsenic standard for Group A transient non-community systems when the standard for Group B public water systems is addressed. Mr. Osaki added that he has talked with DOH about their Group B public water systems' policy discussion plan, which will include a discussion of arsenic standards.

Motion:

The Board adopts the revised chapter 246-290 WAC as published in WSR 03-24-106.

Motion/Second: Osaki/Edmonds

Approved unanimously

SCHOOL ENVIRONMENTAL HEALTH UPDATE FROM DOH AND OSPI

Mr. Osaki, SBOH Environmental Health Subcommittee Chair, directed the Board's attention to materials behind Tab 10. Ms. Seifert introduced the presenters, noting that Marcia Riggers was not able to represent the Office of Superintendent of Public Instruction and that Don Leaf had come in her place. She also noted that Nancy Bernard was joining Maryanne Guichard.

Maryanne Guichard, DOH Office of Environmental Health and Safety Manager, briefly summarized the DOH environmental health and safety program activities concerning school indoor air quality. Nancy Bernard, public health advisor with the DOH School Health and Safety Program, presented the results of a DOH survey of school programs conducted by local health jurisdictions (see handouts). Chair Lake asked if there were any surprises in the findings. Ms. Bernard said that the number of routine inspections was higher than anticipated.

Glen Patrick, DOH Office of Environmental Health Assessments Epidemiologist, presented information about the Washington State Environmental Public Health Tracking Network school health initiative (see slide presentation and handout behind Tab 10). Board members and staff raised questions regarding where schools were now in terms of data collection, how Washington compared to other states, when school districts would be selected, and the role of the local health jurisdictions.

Don Leaf, OSPI consultant, presented the indoor air quality (IAQ) protocol. Mr. Osaki asked about the difference between the DOH Indoor Air Quality Best Practices Manual and IAQ protocol presented today. He suggested a communication piece explaining the different documents. Maryanne Guichard added that the two documents will be distributed together as part of a training for local health jurisdictions and school districts, and that this approach would reduce confusion about the documents.

RESPONSE TO REQUEST FOR BOARD INPUT ON DSHS/MAA STRATEGIC PLAN

Mr. Sloma presented a proposed draft of the Board's input to the DSHS Medical Assistance Administration Strategic Plan, which was requested by the Board at the December meeting (see attachment behind Tab 11). Chair Lake asked Mr. Sloma to review highlights of the report. Ms. Edwards said she was pleased with the draft report especially the section on Graduate Medical Education. Dr. Locke requested some formatting changes but endorsed the report's content. Secretary Selecky commented that the timing of the report was especially good since DSHS requested Board input. Mr. Sloma called the Board's attention to the section concerning mental health programs. Several Board members stated that they were comfortable with the report's content in that area.

Motion: The Board approves the attached statement "Comment on DSHS/MAA 'Guiding Themes' for Strategic Planning" with formatting suggestions proposed by Tom Locke and directs its transmittal to DSHS.

Motion/Second: Carolyn Edwards/Tom Locke
Approved unanimously

DRAFT STATEMENT OF BOARD POLICY ON POSSIBLE 2004 LEGISLATIVE ISSUES

Craig McLaughlin, WSBOH Policy Manager directed the Board to the materials behind Tab 12. Mr. McLaughlin first discussed a list of possible legislation. He reviewed the Sue Crystal Indian Health Act and mentioned the prospect of legislation threatening the Board's authority to adopt onsite sewage system rules. He then asked for comments on the proposed policy statement. Ms. Ybarra said the statements are broad enough to include specific initiatives that have arisen and will arise in the future. Mr. Sloma also described a request that the Board provide drafting advice on legislation that would create a funding source for environmental health activities such as community assessment and education. Mr. Osaki replied that this would be a good idea, but isn't sure about the context, since environmental health is so broad. Dr. Locke added that LHJs

would welcome environmental health assessment funding, but because this might be a categorical budget proviso, he would prefer a broader discussion of potential revenue sources. Mr. McLaughlin highlighted the onsite sewage statement. Mr. Sloma also highlighted the tobacco statement.

Motion: The Board adopts the “Statement of Board Policy on Possible 2004 Legislative Issues” as submitted at this meeting to provide a sense of the Board consistent with Policy 2001-001.

Motion/Second: Edmonds/Ybarra

Approved unanimously

APPROVE 2004 STATE HEALTH REPORT DISCUSSION

Mr. McLaughlin introduced the proposed draft State Health Report behind Tab 13. He described Ms. Ybarra’s suggested changes to the health disparities section, which he will make. He also said he was still awaiting feedback from some reviewers. The goal, he said, is to get the report to the Governor by the end of January.

Motion: The Board adopts the proposed text of the 2004 State Health Report and directs the Chair to transmit it to the Governor for review and possible approval. The Board authorizes the Chair to approve changes to the text if they become necessary after further review and comments from other agencies.

Motion/Second: Locke/Edmonds

Approved unanimously

UPDATE OF “WELCOME TO PUBLIC HEALTH: A GUIDE BOOK FOR LOCAL BOARDS OF HEALTH MEMBERS”

Mr. Sloma described the Board’s role in updating the guidebook and its commitment to print and distribute a limited number. He also mentioned the contribution of others (see Tab 14). Ms. Edmonds and Dr. Locke praised the updated document. Dr. Locke added that his county is waiting for the document. Ms. Selecky recommended that local board of health members receive copies, and that others download it from the Web. Board members discussed whether to amplify the discussion of public health’s emergency response role.

Motion: The Board approves the attached draft of “Welcome to Public Health in Washington State: A Guidebook for Local Board of Health Members,” directs that the format more frequently include the PHIP Communications Committee suggested logo and authorizes printing of some 500 copies for distribution to local health jurisdictions and to local board of health members as well as posting on the Board’s website.

Motion/Second: Ybarra/Chu

Approved unanimously

Chair Lake raised the topic of Mr. Sloma resigning from the Board’s executive director position. Chair Lake suggested that Craig McLaughlin be appointed interim executive director during the search, which should be open to all interested in the position. Ms. Selecky said she would be willing to make a senior staff person from DOH available to staff the search.

Motion

The Board appoints Craig McLaughlin as interim executive director of the State Board of Health, effective March 1, 2004.

Motion/Second: Edmonds/Osaki

Approved unanimously

Board members agreed to accept Ms. Selecky's offer of a DOH senior staff person to guide the search, and several offered to serve on a search committee. Ms. Ybarra asked for information on the previous search, and Mr. Osaki asked for the job description. Mr. Sloma asked Board members to suggest replacements for Board members who will be leaving, adding that the Governor's office encouraged early consideration of future Board members.

PUBLIC TESTIMONY

Thelma Simon described meeting with legislators and lobbyists to support indoor air quality and school construction issues. She reminded the Board of teachers who had testified to the Board in the past about their health concerns. She added that the electronic data systems described earlier are well beyond the capabilities of the Cle Elum-Roslyn School District and seem expensive. She described how health records were given to the Kittitas County Health Departments in the past. Ms. Simon added that she supports the local school levy and hopes they are asking for enough money. She suggested tracking problems at schools that have had problems in the past, such as in Ocean Shores. She described Jim Compton's report on Cle Elum's problems and the Department of Labor and Industries denying claims. She added that Cle Elum has a high absentee rate. Ms. Simon asked if it was possible to provide input on the reports presented today. Chair Lake replied it was, and that presenters' contact information was on their handouts.

ADJOURNMENT

Chair Lake adjourned the meeting at 4:30 p.m.

WASHINGTON STATE BOARD OF
HEALTH

A handwritten signature in cursive script, reading "Linda Lake".

Linda Lake, Chair